

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

BINGHAM FOX, RANDALL FOX,

Defendants.

NO. CR16-100RSL

ORDER CONTINUING TRIAL
DATE AND PRETRIAL MOTIONS
DUE DATE

This matter comes before the Court on defendants' motion to continue the trial date and pretrial motions due date. Dkt. # 23. Although the motion was styled as an "unopposed joint" motion, the government submitted a brief in response that clarified the points with which it agreed. Dkt. # 25. Having considered the parties' briefs and the remainder of the record, the Court incorporates by reference the facts set forth in defendants' motion and finds as follows:

1. A failure to grant the requested continuances would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. In addition, the failure to grant a continuance would result in a miscarriage of justice, as contemplated under 18 U.S.C. § 3161(h)(7)(B)(i).

3. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

IT IS THEREFORE ORDERED that the trial date in this matter is continued from June 20, 2016, to October 31, 2016 at 9:00 a.m. All pretrial motions, including motions in limine,

1 shall be filed no later than August 29, 2016. Responses shall be filed no later than September
2 26, 2016.

3 IT IS FURTHER ORDERED that the period of time from the date of this order through
4 the new trial date of October 31, 2016, shall be excludable time pursuant to the Speedy Trial
5 Act, 18 U.S.C. § 3161, et seq.

6
7 DATED this 17th day of May, 2016.

8
9 

10 Robert S. Lasnik
11 United States District Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27